

IN THE UNITED STATES DESIGNATED/ELECTED OFFICE

Application of:	Katzman et al.
U.S. Serial No.:	10/549,488
Filed:	September 15, 2005
Entitled:	Modafinil-Based Neurorehabilitation of Impaired Neurological Function Associated with Brain Injury

ART UNIT: (not yet assigned)

EXAMINER: (not yet assigned)

U.S. national stage of PCT/US2004/008056  
Attorney Docket No. NEU-102.1P US

**Mail Stop PCT**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR REFUND**

Dear Sir:

Applicants hereby request a refund in the amount of \$300.00 as overcharges in the fees paid for filing the above-identified U.S. national stage application of international application No. PCT/US2004/008056.

As indicated on page 2 of Transmittal Form PTO-1390, submitted September 15, 2005, (see, Exhibit A) Applicants submitted a check (No. 6561) in the amount \$575.00 in payment of fees for a **small entity** (copy of check in Exhibit B) for entry into the U.S. national stage under 35 USC 371. This payment of small entity fees included the amount of \$100.00 for an examination fee (see, item 22, Exhibit A) and \$200.00 for a search fee (see, item 23, Exhibit A).

Applicants are in receipt of a Written Opinion, dated August 26, 2004, prepared by the United States International Searching Authority (see, Exhibit C). The Written Opinion from the ISA/US states that the criteria of novelty, inventive step, and industrial applicability, as defined in PCT Article 33, have been satisfied for all of the claims presented in the

application that entered the U.S. national stage (see, Box No. V, last page of the Written Opinion, Exhibit C). Accordingly, under 37 CFR § 1.492(b)(1), the search fee for a small entity should have been \$0.00 (*not* \$200.00) and, under 37 CFR § 1.492(c)(1), the examination fee should have been \$0.00 (*not* \$100.00).

In view of the above explanation and attached exhibits, Applicants respectfully request a refund of \$300.00 for overcharges in fees paid in this application. The Commissioner is hereby authorized to credit the \$300.00 in overcharges to Deposit Account No. 50-0268.

Respectfully submitted,

A handwritten signature in black ink that reads "Thomas R. Berka". The signature is written in a cursive style with a large, stylized 'T' and 'B'.

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